

Howard Jensen

From: Fidix.Alexander@epamail.epa.gov
 it: Monday, May 18, 2009 9:28 AM
 Howard Jensen
 Subject: Re: Lower Duwamish Waterway Superfund Site -- Section 104(e) Request to Nuprecon

Howard:

I forwarded your extension request to Claire Hong. Nuprecon can submit its initial response without the financial information. However, EPA expects that the financial information will be promptly provided when requested in the future.

-Alex

"Howard Jensen"
 <HFJ@hcmp.com>

05/15/2009 03:45
 PM

To
 Alexander Fidix/R10/USEPA/US@EPA
 cc
 "Marlene Haworth \ (E-mail\)"
 <marlene@nuprecon.com>, "Daniel
 Girard \ (E-mail\)"
 <danielg@nuprecon.com>, "Alison
 Jones" <agj@hcmp.com>

Subject
 Lower Duwamish Waterway Superfund
 Site -- Section 104(e) Request to
 Nuprecon

Alex:



Thank you for taking the time to speak with me yesterday about the Section 104(e) request EPA issued to Nuprecon regarding the Lower Duwamish Waterway Superfund Site. I am writing for two reasons. First, to confirm that Nuprecon may withhold the financial information requested in the Section 104(e) request without risk of penalty. We will follow your suggestion of responding to the questions regarding financial information by stating that Nuprecon is not providing the requested financial information at this time, but will provide such information in the future if requested to do so by EPA, subject of course to any privilege and confidentiality protections afforded under the law. I would appreciate it if you could respond to this email to confirm my understanding on this issue.

Second, as we also discussed yesterday, our firm was only recently retained by Nuprecon to assist it in responding to the Section 104(e) request. Due to our recent involvement in this

matter, and Nuprecon's desire to ensure that its responses are as complete as possible, we hereby request an additional thirty-day extension of the response deadline. This would move the deadline from June 4, 2009, to July 4, 2009. We understand that the Remedial Project Manager for the Site, Claire Hong, will decide upon this request, and appreciate your offer forward. this request to her.

Thank you again for your assistance in this matter. For planning purposes, it would be helpful if you and Ms. Hong could respond to the preceding requests by the end of business on Monday May 18, 2009.

Best regards,

Howard Jensen

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